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U.S. PTO  
09/229324

01/13/99

Date: January 13, 1999

Docket No.: 760-262P

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a Request for filing a X continuation        divisional application under 37 C.F.R. § 1.53(b) of pending prior Application No. 08/668,464 filed on June 25, 1996, the entire contents of which are hereby incorporated by reference, by

Yukoh HIEI

Toshihiko KOMARI

For

METHOD FOR TRANSFORMING MONOCOTYLEDONS

1. ✓ X Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. X The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$760.00	\$380.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	42- 20 =		x 18 = \$396.00	x 9 = \$
INDEPENDENT CLAIMS	2- 3 =		x 78 = \$	x 39 = \$
MULTIPLE DEPENDENT <u>X</u> CLAIMS PRESENTED			+ \$260.00	+ \$130.00
TOTAL			\$1,416.00	

3. X A check in the amount of \$1,416.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4.      Please charge Deposit Account No. 02-2448 in the amount of \$          . A triplicate copy of this request is enclosed.
5. X Amend the specification by deleting lines 4-9 of page 1 and inserting the following:

--This application is a continuation of copending Application No. 08/668,464, filed on June 25, 1996, which is a continuation-in-part of Application No. 08/193,058 which is the national phase of PCT International Application No. PCT/JP93/00925 filed on July 6, 1993 under 35 U.S.C. § 371 (now U.S. Patent No. 5,591,616 issued on January 7, 1997). The entire contents of each of the above identified applications are hereby incorporated by reference.--

6.      Transfer the drawings/photographs from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file.
7. X Enclosed are two (2) sheet(s) of formal drawings/photographs.
8.      A verified statement claiming small entity status was filed in prior Application No.                      on           . See attached copy of verified statement claiming small entity.

9. X The prior application is assigned to  
JAPAN TOBACCO INC.
10. ✓X A Preliminary Amendment is enclosed.
- 11a.     Priority of Application No.            filed in            on  
           is claimed under 35 U.S.C. § 119. See  
attached copy of the Letter claiming priority filed in  
the prior application on           .
- 11b. X Priority of International Appln. PCT/JP93/00925 filed  
on July 6, 1993 under the Patent Cooperation Treaty and  
Application No. 4-204464 filed in Japan on July 7, 1992  
under 35 U.S.C. § 119 are hereby reclaimed.
12. ✓X An Information Disclosure Statement and PTO-1449  
form(s) are attached hereto for the Examiner's  
consideration.
13. X Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
  
Telephone: (703) 205-8000
14. X An extension of time for three (3) month(s) January 13,  
1999 has been submitted in parent Application No  
08/668,464 in order to establish copendency with the  
present application.
15.     Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this,  
concurrent, and future replies, to charge payment or credit any  
overpayment to Deposit Account No. 02-2448 for any additional fees  
required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17;  
particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 


Gerald M. Murphy, Jr.

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